

REMARKS

This application has been carefully studied and amended in view of the Office Action dated July 25, 2008. Reconsideration of that action is requested in view of the following.

The indication that claim 17 is allowable over the prior art and that claims 22-25 and 27-28 would be allowable if rewritten in independent form is noted with appreciation.

Claim 17 had been rejected on the ground of non-statutory obviousness-type double patenting. A terminal disclaimer is being filed concurrently herewith in order to remove that rejection.

Allowable claim 22, 24 and 25 have been written in independent form and now should formally be allowed. Similarly, claims 23, 27 and 28 which had been indicated as containing allowable subject matter are now dependent on its parent claim 22 which is written in independent form.

It is noted that the original set of claims which had been canceled before the first Office Action contained claim 8 which was indicated as being dependent on any of claims 1-7 and contained claim 10 which was stated as being dependent on any of claims 1-9. Claim 8 now corresponds to claim 22. Claim 10 corresponds to claim 24. Original claim 1 corresponds to claim 15. Original claim 2 corresponds to claim 16 and original claim 3 corresponds to claim 17. Accordingly, it was the intent in the originally presented claims that a claim corresponding to claims 22 and 24 would also be dependent on claims 15, 16 and 17. In a prior amendment, in order to advance the prosecution of this case, claims 22 and 24 were made dependent solely on claim 15. The only difference, however, between claims 15 and 16 is that claim 15 refers to "operating at ambient pressure" while claim 16 refers to "operating at a pressure of less than 900mbar". Since both claims 15 and 16 have been rejected it is assumed that the specific pressure was not the reason for the allowance of their dependent claims 22 and 24. Accordingly, rather than canceling claim 16, claim 16 has been amended to now include the features of "allowable claim 22". Similarly, a new claim 30 has been added which is a combination of claim 16 and includes the features of "allowable" claim 24. It is respectfully requested that

claims 16 and 30 should be considered and allowed. In that regard, the claims do not raise new issues, since the general subject matter of the individual claims had already been considered by Examiner Manoharan, and since those claims contain the features in claims 22 and 24, respectively, which Examiner Manoharan considered to be allowable.

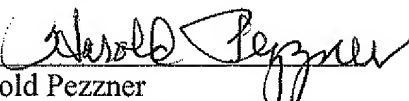
Similarly, claims 31 and 32 have been added to add to allowed claim 17 the features of "allowable" claims 22 and 24. Clearly, claims 31 and 32 should be allowed since not only is their base parent claim (claim 17) allowable, but also the features added by claims 31-32 are based upon allowable claims 22 and 24.

It is also noted that although the number of independent claims has been increased, the total number of claims now presented has been reduced from 15 to 11. The reason for the increase in independent claims is in part necessitated by placing the allowable dependent claims in independent form. A supplemental fee is provided with regard to the three independent claims in excess of three.

In view of the above remarks it is respectfully submitted that all of the claims now pending have either been indicated as allowable or contain combinations which include features which form the basis for the allowance of, for example, claims 22 and 24. It is further submitted that no new issues are raised by any of the claims now pending and no further search would be necessary. Accordingly, it is respectfully requested that in order to avoid the necessity of filing a divisional application simply to present claims which are clearly allowable based on the prior Office Action, that this amendment should be entered and that the application should be passed to issue.

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Respectfully submitted,

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Amendment

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